

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

August 18, 2003
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Captain David Wyffels, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

The Municipal Utilities Commission Minutes of August 11, and the Planning Commission Minutes of August 13, 2003, were removed from the Consent Agenda.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of August 4, Rice Hospital Board Minutes of August 6, and Housing and Redevelopment Authority Minutes of July 8, 2003. Council Member Dokken seconded the motion, which carried.

The Mayor and Council discussed the Municipal Utilities Commission Minute's item regarding the interconnection/interchange services and the amendment with Great River Energy. The Municipal Utilities Commission Minutes of August 11, 2003, were approved upon motion by Council Member Christianson with Council Member Dokken seconding the motion, which carried.

The Mayor and Council discussed the Planning Commission Minute's items regarding proposed recreational facility and a group home project. The Planning Commission Minutes of August 13, 2003, were approved as presented upon motion by Council Member Christianson, seconded by Council Member Anderson, which carried.

Planning and Development Services Director Peterson informed the Mayor and Council that the Assembly of God youth group raised funds by operating a fireworks stand. The group is presenting the money to the City as a gift to be used for a community project. Mayor Heitke recognized Pastors David Gravgaard and John Hohm, Erica Carlson, and Vernon, Vanesia and Valerie McCray who explained that 50 percent of the proceeds were going to missions and 50 percent reinvested in the community. Mayor Heitke thanked the group for their generous gift.

Resolution No. 1 was introduced by Council Member Chapin, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

WHEREAS, the Assembly of God Church has donated to the City of Willmar \$4,254.96 to be put towards the Dorothy A. Olson Aquatic Center Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation from the Assembly of God Church and that the City Administrator be

directed to express the community's appreciation for the donation.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Finance Committee Report for August 11, 2003, was presented to the Mayor and Council by Vice Chairman Fagerlie. There were nine items for Council consideration.

Item No. 1 Representatives of the Willmar Fire Department presented to the Committee the Relief Association's annual report. It was noted the current retirement benefit level was increasing from \$2,500 per year of service to \$2,700. The Association's current fund levels would allow this, with the City committed level of \$2,100 staying the same. This matter was for information only.

Item No. 2 Staff explained to the Committee that the City's current policy is to set the interest rate on assessments at no more than 2 percent above the rate of improvement bond financing. The City recently sold General Obligation Improvement bonds at a rate of 3.7132 percent. Since the adopted assessment roll listed the stated interest rate of 6.00 percent, the adopting resolution should be amended to a lesser rate.

The Committee was recommending the Council introduce a resolution to amend the interest rate from 6.00 percent to 5.71 percent. Resolution No. 2 was introduced by Council Member Fagerlie, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

AMENDING ASSESSMENT ROLL

WHEREAS, the City Council of the City of Willmar, Minnesota, duly adopted the assessment roll for the 2003 Street Improvement Project on May 5, 2003, and

WHEREAS, the assessment roll was adopted with a stated interest rate of 6.00 percent and pursuant to the sale of the General Obligation Improvement Bonds selling at a lower interest rate than projected, the new stated interest rate shall be reduced; and

WHEREAS, the development costs on parcel 95-902-0090 were decreased to \$15,556.05 thereby decreasing the total assessment roll.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. Such assessment roll be amended to the sum of \$595,433, a copy of which is attached hereto and made a part hereof, is hereby accepted.
2. Such assessments shall be as follows:
 - A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2004, collectible with such taxes during the year 2013.
 - B. To the first installment shall be added interest at the rate of five and seventy-one hundredths (5.71%) percent per annum on the entire principal amount of the assessment from the date of the bond sale, August 4, 2003, until December 31, 2004. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.
 - C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2003, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.
3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of the assessment to the County Auditor to be extended on the tax list of the County.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee reviewed a list of properties that have applied for an exemption from assessments due to agricultural use. The current Assessment Policy allows the City to temporarily exempt from assessment certain lands currently used for agricultural purposes.

The Committee was recommending the Council introduce a resolution exempting qualifying land owners from the special assessments. Resolution No. 3 was by Council Member Fagerlie, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the installation of certain street and other improvements made under Projects No. 9801, 9301 and 9101, and certain sewer and water main improvements made under Projects No. 9801, 9701, 9303, 9202, 9002, 7402, and 6905.

WHEREAS, Section W of the City of Willmar Comprehensive Assessment Policy allows the City to temporarily exempt from assessments certain lands currently used for agriculture purposes;

and

WHEREAS, certain property owners have made application to the City for delayed payment of taxes on special assessments and have met the criteria contained in the Comprehensive Assessment Policy for said deferment;

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred until such property is developed or upon approval of the final plat, and that no interest be charged until such time.

BE IT FURTHER RESOLVED that upon development or plat approval that tapping fee shall be based on the project year bid price per front foot or unit, or on the current year costs at the time of connection/platting, whichever is greater:

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|----|-----------------------------|--------------|-------------|
| 1. | Harvey Hawkinson | 95-924-0020 | |
| | 7340 26 th St NE | Project 9202 | \$13,005.00 |
| | Willmar | Project 9101 | 51,455.70 |
| | | Project 9002 | 35,340.00 |

Section 24, Township 119, Range 35

That part of the Northwest Quarter of Northwest Quarter lying Northwesterly of Highway right-of way, except the South 125 feet of North 175 feet of West 133 feet. (31.40 acres)

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|----|-----------------------------|--------------|-------------|
| 2. | Harvey Hawkinson | 95-913-0040 | |
| | 7340 26 th St NE | Project 9202 | \$12,095.00 |
| | Willmar | Project 9002 | 8,255.00 |

Section 13, Township 119, Range 35

Southwest Quarter of Southwest Quarter, except North 300 feet of South 345 feet of East 435.6 feet of West 468.8 feet of Southwest Quarter of Southwest Quarter, and except part out to road to Pheasant Run. (32 acres)

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|----|--------------------------|--------------|-------------|
| 3. | Glenn and Joanne Shannon | 95-913-1120 | |
| | 605 Lakeland Drive SE | Project 9101 | \$ 2,035.00 |
| | Willmar | Project 9801 | \$13,901.47 |

Section 13, Township 119, Range 35

Part of Southwest Quarter of Northwest Quarter: Commencing at point on West line of Southwest Quarter of Northwest Quarter 26 2/3 rods North of Southwest corner, thence East parallel to North line of Southwest Quarter of Northwest Quarter 60 rods, thence South to a point 13 1/3 rods North of South line of Southwest Quarter of Northwest Quarter, thence West to West line thereof, thence North to beginning.

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| 4. | LeAnn Isaacson ETAL | 95-914-2610 | |
| | 10785 46 th Place N | Project 9002 | \$39,731.66 |
| | Plymouth | Project 9303 | 22,360.66 |

Section 14, Township 119, Range 35

South 610 feet of Northeast Quarter except West 393.61 feet; Southeast Quarter except South 914.88 feet of West 1085 feet and except part platted as Bergquists Estates, Perkins 5th Addition and Gesch Park except that part of the South Half of Northeast Quarter described as follows: Commencing 715 feet South and 393.61 feet East of Northwest

Corner of Southwest Quarter Northeast Quarter, Thence East to Southwest Corner of Lot 7, Block 7 Erickson's Third Addition, Thence South 70 feet, Thence West to East Line of Welch's Addition, Thence North 70 feet to part of beginning and except part platted into Gesch YMCA Addition. (99.10 Acres)

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|----|--|-----------------------------|-------------|
| 5. | Maurice & Evelyn Bomstad
1015 Willmar Ave. SE, Apt 134
Willmar | 95-913-0035
Project 9002 | \$ 3,731.00 |
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Section 13, Township 119, Range 35

South 15 acres of Northwest Quarter of Southwest Quarter except plat of Valley View Addition.

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|----|---|---|-------------------------|
| 6. | Mildred Thorpe
1301 SW 8th Street
Willmar | 95-908-0130
Project 6905
Project 7402 | \$ 2,460.00
3,517.00 |
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Section 8, Township 119, Range 35

West 309.7 feet of East 929.2 feet of North 400 feet of South 470 feet and West 854.2 feet of East 929.2 feet of North 300 feet of South 770 feet of Southeast Quarter of Northeast Quarter. (6 acres)

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|----|---|-----------------------------|-------------|
| 7. | Marlan and Kay McLane
613 Lakeland Drive SE
Willmar | 95-913-1200
Project 9801 | \$13,901.47 |
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Section 13, Township 119, Range 35

Part of Northwest Quarter: Commencing at the Southwest Corner of the Northwest Quarter, thence North 110 feet, thence East 163 feet, thence North 110 feet, thence East 827 feet, thence South 220 feet, thence West 990 feet to beginning, except the North 6 feet of the South 135 feet of the East 8 feet of the West 171 feet thereof.

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|----|--|-----------------------------|-------------|
| 8. | Triumphant Life Church
3010 7 th Ave NW
Willmar | 95-908-0140
Project 9301 | \$27,495.00 |
|----|--|-----------------------------|-------------|

Section 8, Township 119, Range 35

West 423 feet of East 929.2 feet of North 400 feet of South 470 feet of East half of Northeast quarter - Ag property.

*Split Property

(West 431.2 feet of East 506.2 feet of North 400 feet of South 470 feet of East Half of Northeast Quarter - Church property.)

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|----|---|-----------------------------|-------------|
| 9. | William N. Bernard, ETAL
520 Litchfield Ave W
Willmar | 95-912-0970
Project 9701 | \$12,119.04 |
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Section 12, Township 119, Range 35

North 1,655 feet of Northwest Quarter excluding West 40 acres thereof.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 4 Staff explained to the Committee that due to mathematical errors on property assessment cards, the Lee-Don Addition tax forfeited parcels being purchased had more unpaid assessments than first thought. The revised numbers were reviewed with the purchasers, and they have agreed to the numbers as revised and to waive any formal assessment hearings.

The Committee was recommending the Council introduce a resolution to recertify the revised assessments. Resolution No. 4 was introduced by Council Member Fagerlie, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

WHEREAS, the following property located within the City of Willmar was offered for sale by the County Auditor at tax forfeiture sale:

Lot 1, Block 2, Lee-Don Addition
Lot 3, Block 2, Lee-Don Addition
Lot 5, Block 2, Lee-Don Addition
Lot 7, Block 2, Lee-Don Addition

WHEREAS, the above property was subject to reassessment of \$21,834.20 special assessments if sold; and

WHEREAS, the above property was sold to David and Jane Bond.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the special assessments be placed on the tax rolls as follows:

			<u>Roll</u>
95-481-0110	Lot 1, Block 2, Lee-Don Addition	\$9,413.34	403-9002
		0	408-9101A
		0	409-9101B
95-481-0130	Lot 3, Block 2, Lee-Don Addition	\$5,430.34	403-9002
		0	408-9101A
		0	409-9101B
95-481-0150	Lot 5, Block 2, Lee-Don Addition	\$3,995.24	403-9002
		0	408-9101A
		0	409-9101B
95-481-0170	Lot 7, Block 2, Lee-Don Addition	\$2,995.28	403-9002
		0	408-9101A
		0	409-9101B

And that the assessments are hereby set for collection over a ten (10) year period with an interest rate of nine (9) percent, and that the County Auditor be notified to extend this assessment on the tax rolls payable in 2004.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 5 was introduced by Council Member Fagerlie, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

WHEREAS, the following property located within the City of Willmar was offered for sale by the County Auditor at tax forfeiture sale:

Lot 2, Block 2, Lee-Don Addition
Lot 4, Block 2, Lee-Don Addition
Lot 6, Block 2, Lee-Don Addition
Lot 8, Block 2, Lee-Don Addition
Lot 9, Block 2, Lee-Don Addition

WHEREAS, the above property was subject to reassessment of \$24,597.19 special assessments if sold; and

WHEREAS, the above property was sold to David and Cynthia Graves.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the special assessments be placed on the tax rolls as follows:

			<u>Roll</u>
95-481-0120	Lot 2, Block 2, Lee-Don Addition	\$6,263.85	403-9002
		0	408-9101A
		0	409-9101B
95-481-0140	Lot 4, Block 2, Lee-Don Addition	\$1,430.34	403-9002
		0	408-9101A
		0	409-9101B
95-481-0160	Lot 6, Block 2, Lee-Don Addition	\$1,430.34	403-9002
		0	408-9101A
		0	409-9101B
95-481-0180	Lot 8, Block 2, Lee-Don Addition	\$7,884.78	403-9002
		0	408-9101A
		0	409-9101B
95-481-0190	Lot 9, Block 2, Lee-Don Addition	\$7,587.88	403-9002
		0	408-9101A
		0	409-9101B

And that the assessments are hereby set for collection over a ten (10) year period with an interest rate of nine (9) percent, and that the County Auditor be notified to extend this assessment on the tax rolls payable in 2004.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee reviewed overdue mowing accounts; and staff explained that pursuant to the Willmar Municipal Code, Chapter 9, cutting of weeds or grass, and in the case of noncompliance, such work can be performed by the City or its agent, and the costs certified as a special assessment against the property.

The Committee was recommending the Council authorize the appropriate notices be sent and schedule an assessment hearing for September 2, 2003. Council Member Fagerlie moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried.

Item No. 6 Staff explained to the Committee that the intergovernmental agreement between the City and the Municipal Utilities expires at the end of this year and two members from the Committee, along with the City Administrator, should be appointed to discuss with the Commission any possible revisions and/or extensions to the agreement.

The Committee was recommending the Council appoint Committee Members Chapin and Dokken along with City Administrator Schmit to meet with Municipal Utility Commission representatives. Council Member Fagerlie moved to approve the recommendation of the Finance Committee with Council Member Anderson seconding the motion, which carried.

Item No. 7 The Committee considered budget amendments to accept grants for the Willmar Fire Department. The first grant was for the purchase of four (4) one-hour SCBA's to be used by the HEAT team. The local share would be \$3,620 and the grant would contribute \$10,860.

The Committee was recommending the Council introduce a resolution to amend the Fire Department Capital Equipment budget by \$14,480. Resolution No. 6 was introduced by Council Member Fagerlie, seconded by Council Member Chapin, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Fire Department Budget within the Capital Improvement Fund:

Increase:	Grant Revenues	\$14,480.00
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Increase:	Equipment	\$14,480.00
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Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

The second grant from the Federal Emergency Management Agency was for the purchase of additional fire equipment. The total grant was for \$104,553 to be matched with \$11,617 of local money for a total cost of \$116,170.

The Committee was recommending the Council introduce a resolution to amend the Fire Department Capital Equipment budget by \$116,170. Resolution No. 7 was introduced by Council Member Fagerlie, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Fire Department Budget within the Capital Improvement Fund:

Increase:	Grant Revenues	\$116,170.00
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Increase:	Equipment	\$116,170.00
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Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 8 The Committee reviewed the June Rice Hospital, Municipal Utilities, Pioneerland Library and the Willmar Arts Fund reports. This matter was for information only.

Item No. 9 The Committee discussed the upcoming time lines associated with the 2004 budget process. This matter was for information only.

The Finance Committee Report for August 11, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie, seconded by Council Member Dokken, and carried.

The Public Works/Safety Committee Report for August 12, 2003, was presented to the Mayor and Council by Council Member Christianson. There were seven items for Council consideration.

Item No. 1 The Committee considered a request from Quam Construction Company for a one-week extension to the substantial completion of Project 0302, the lift station on South First Street on the 24th Avenue SW corridor.

The Committee was recommending the Council approve Change Order as requested. Resolution No. 8 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

WHEREAS Quam Construction Company of Willmar, Minnesota, contractor for the City of Willmar Project No. 0302 Sewer and Water Main Improvements desires to have the completion date for the 24th Avenue Corridor lift station changed to August 22, 2003; and

WHEREAS it has been determined there was a delay in the submittal of the shop drawings and the one-week extension will not impact the new development.

NOW THEREFORE BE IT RESOLVED that the 24th Avenue Corridor lift station's completion date is hereby changed to August 22, 2003.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 The Committee considered a resolution authorizing a Police Department block grant application to purchase a new speed trailer at an estimated cost of \$13,000. The grant requires a 10 percent match, which would be funded through the Department's budget.

The Committee was recommending the Council adopt a resolution allowing the City Administrator and Chief of Police to apply for and enter into a grant agreement with the Bureau of Justice Assistance for a Local Law Enforcement Block Grant for fiscal year 2003. Resolution No. 9 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

BE IT RESOLVED by the Willmar City Council that the City Administrator and Chief of Police are hereby authorized to apply for and enter into a Local Law Enforcement Block Grant with the Bureau of Justice Assistance Security for a Speed trailer.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 Staff informed the Committee that since Aquatic Center Project bids came in higher than anticipated, the Finance Committee and Willmar Municipal Utilities would be meeting to discuss possible funding sources to assist in financing. Staff is also planning meetings with project consultants and architects to explore bid revisions and re-letting dates. The bid opening for construction of the parking lot will still be held and if the pool construction is rescheduled,

appropriate action would be taken on the parking lot bids. Discussion was also held regarding the pool's capacity in relation to the size of Willmar and the money donated by the Olsons. This matter was for information only.

Item No. 4 The Committee reviewed the plans and specifications for Project No. 0305, signal system upgrades on Highway 12. The plans call for upgrading five of the signal systems along Highway 12 with the exception of the intersection of 7th Street. The estimated cost of the project is \$125,000. The 7th Street signal intersection is scheduled for upgrade jointly by the County and State. The upgrade includes installation of loop detectors, EVP detectors, LED lighting, and pedestrian indicators with countdown timers. The project is 100% funded by State Aid.

The Committee was recommending the Council approve the plans and specifications for Project No. 0305 and authorize advertisement of bids. Resolution No. 10 was introduced by Council Member Christianson, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

WHEREAS the Consulting Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 0305 – Highway 12 Signal Upgrades for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 29th day of September, 2003, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee reviewed an agreement between the City of Willmar, Kandiyohi County and the State of Minnesota. The agreement stipulates that the City of Willmar will be responsible for maintenance and energy supply for all improvements to the Highway 12 Signal Systems. It also stipulates that Kandiyohi County and MnDOT will be responsible for paying all capital costs to replace the 7th Street Signal System. Lastly the agreement defines the schedule and authorized agents.

The Committee was recommending the Council approve the agreement and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 11 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 11

IT IS RESOLVED that the City of Willmar enter into Mn/DOT Agreement No. 85510-R with the State of Minnesota, Department of Transportation, for the following purposes:

The City to provide maintenance and electrical energy supply for signal system upgrade on Trunk Highway No. 12 at County State Aid Highway No. 41 (7th Street) within the corporate City limits under State Project No. 3403-63 (T.H. 12=010), and the installation, operation, electrical energy supply, and maintenance of EVP systems on Trunk Highway No. 12 at County State Aid Highway No. 5 (30th Street NW), West 10th Street, West 2nd Street, and Lakeland Drive under City Project No. 0305.

IT IS FURTHER RESOLVED that the Mayor and City Administrator are authorized to execute the Agreement and any amendments to the Agreement.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee reviewed the plans and specifications for Phase II of the RBC Improvements at the Wastewater Treatment Plant from the consulting engineer. The improvement includes the replacement of the final three RBC trains including twelve shafts at an estimated cost of \$1.2 million.

The Committee was recommending the Council approve the plans and specification and authorize advertisement for bids. Resolution No. 12 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 12

WHEREAS the Consulting Engineer of the City of Willmar has presented to the City Council plans and specifications for the Wastewater Treatment Plant RBCs for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 2:00 p.m. on the 8th day of September, 2003, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 18th day of August, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee reviewed a project to construct a regional storm pond to

serve southwest Willmar. The Willmar Municipal Utilities owns 26 acres of land near the Menard's construction site. Staff is proposing negotiating a price with Menards for fill needed at their site and developing a storm water retention pond.

The Committee was recommending the Council approve the concept of the project and allow staff to pursue negotiations and design fees. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Chapin seconding the motion, which carried.

The Public Works/Safety Committee Report for August 12, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Fagerlie, and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a final plat for Lake North Fourth Addition, an eight-lot re-plat of four single-family lots. This plat will complete the twin-home PUD developed by Carlson Construction, and the Planning Commission has approved the final plat. Following discussion, Council Member Christianson moved to approve the final plat for Lake North Fourth Addition with Council Member Fagerlie seconding the motion, which carried.

Planning and Development Services Director Peterson informed the Mayor and Council that the Planning Commission has considered a request to amend the Zoning Ordinance by including athletic/recreation facilities as a conditional use in the Limited Business District. Site Planning and architectural control would be maintained. Following discussion, Council Member Christianson offered a motion to introduce the Ordinance to Amend Zoning Ordinance Text and schedule a public hearing for September 2, 2003. Council Member Chapin seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Labor Relations, August 27; and Community Development, August 29, 2003.

Mayor Heitke announced the upcoming Willmar Air Fest Fly-in on August 31, 2003.

There being no further business to come before the Council, the meeting adjourned at 8:37 p.m. upon motion by Council Member Dokken, seconded by Council Member Chapin, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL